

Unsealing a Sealed File

January 2016

There are three circumstances in Section 58.003, FC that permit re-opening of a sealed file. However, as currently written, after computer indexes--including identifying info in the JCMS folders--are deleted as required by law, the only remaining entity with the sealed records would be the juvenile court clerk in the county where the paper files are maintained. The identifying information in the 'folders' would have already been removed. As such, only the clerk of court would be required to be responsive to a motion to re-open. The provisions are:

1. Juvenile can petition court to reopen FC §58.003(h)
2. Prosecutor can apply to reopen for punishment enhancement FC §58.003(k)
3. DPS can request to reopen for open carry license applicants FC§58.003(m)